

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

ELI WEISBLUM, individually and on behalf of all  
others similarly situated,

*Plaintiff*

v.

PROPHASE LABS, INC.

*Defendant*

Civil Action No.

14

CY 3587  
JUDGE FORMAN

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* PROPHASE LABS, INC.  
621 North Shady Retreat Road  
Doylestown, PA 18901

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Scott A. Bursor  
Bursor & Fisher, P.A.  
888 Seventh Avenue, 3rd Floor  
New York, NY 10019

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRANICK

CLERK OF COURT

*Catherine L. Parsley*

Signature of Clerk or Deputy Clerk

Date: MAY 19 2014

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Joseph Marchese, 4238317 Bursor & Fisher, P.A. 888 7th Ave New York, NY 10019 TELEPHONE NO.: (646) 837-7103 ATTORNEY FOR (Name): Plaintiff	FOR COURT USE ONLY
United States District Court, Southern District of New York  State of NY	
PLAINTIFF/PETITIONER: Eli Weisblum, et al DEFENDANT/RESPONDENT: ProPhase Labs, Inc.	
PROOF OF SERVICE	Ref. No. or File No.: 143

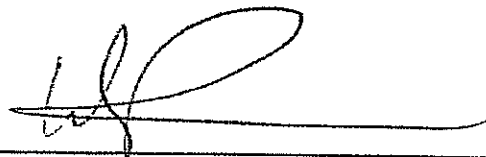
1. At the time of service I was a citizen of the United States, at least 18 years of age and not a party to this action.
2. I served copies of: Summons; Civil Case Cover Sheet; Complaint; Judge Jesse Furman's Individual Rules;
3. a. Party served: ProPhase Labs, Inc.  
  
 b. Person Served: Tammy Tucker - United Corporate Services, Inc. - Person authorized to accept service of process
4. Address where the party was served: 202 South Minnesota St.  
 Carson City, NV 89703
5. I served the party
  - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) or (date): 5/21/2014 (2) at (time): 3:55 PM
6. Person who served papers
  - a. Name: Wade Morlan
  - b. Address: One Legal - 194 Marin  
 504 Redwood Blvd #223  
 Novato, CA 94947
  - c. Telephone number: 415-491-0606
  - d. The fee for service was: \$ 164.95

8. I declare under penalty of perjury that the foregoing is true and correct.

Date: 5/23/2014

Wade Morlan

(NAME OF PERSON WHO SERVED PAPERS)



(SIGNATURE)

PROOF OF SERVICE

OL# 1772866